

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

JAMES FLOYD FANNIN,

Plaintiff,

vs.

COMMISSIONER OF SSA,

Defendants.

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**CIVIL ACTION NO. 6:15-cv-1176
MHS-JDL**

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Plaintiff James Floyd Fannin initiated this civil action on December 30, 2015. The case was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation recommending that the case be dismissed without prejudice for failure to obey a court order. (Doc. No. 4.) Specifically, the Report and Recommendation found that the responsive time to comply with the Court's Order (Doc. No. 3) to either pay the \$400 filing fee, or complete the application for leave to proceed *in forma pauperis*, had passed. Plaintiff's counsel of record received notice of both the Court's Order (Doc. No. 3) and the Report and Recommendation (Doc. No. 4.) as the designated attorney to be notified via CM/ECF. Plaintiff has not filed any objections to the Report and Recommendation within the prescribed time period.

Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly **ORDERED** that the complaint is hereby **DISMISSED WITHOUT PREJUDICE**. It is further **ORDERED** that any motion not previously ruled on is **DENIED**.

SIGNED this 4th day of April, 2016.

A handwritten signature in black ink, reading "Michael H. Schneider". The signature is written in a cursive style with a horizontal line underneath it.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE